

CLERK'S OFFICE U.S. DIST. COURT
AT DANVILLE, VA
FILED FOR
RJM
APR 29 2008

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

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WILLIE JUNIOR MCCAIN,)
Petitioner,) Case No. 7:07CV00301
) Case No. 4:05CR00011
)
v.)
)
UNITED STATES OF AMERICA,) By: Hon. Jackson L. Kiser
Respondent.) Senior United States District Judge

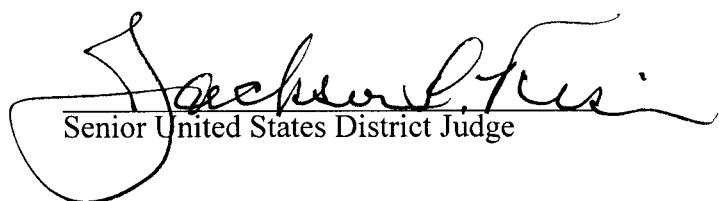
In accordance with the accompanying memorandum opinion, it is hereby

ADJUDGED AND ORDERED

that the petitioner's objections to the Report and Recommendation of the United States Magistrate Judge are **OVERRULED**, the Report and Recommendation is hereby **ADOPTED** in its entirety, the government's motion to dismiss is **GRANTED**, petitioner's motion to vacate, set aside or correct sentence, pursuant to 28 U.S.C. § 2255, is **DISMISSED**, and this action is hereby stricken from the active docket of the court.

The Clerk is directed to send copies of this order and the accompanying memorandum opinion to petitioner and his counsel and to counsel of record for the respondent.

ENTER: This 29th day of April, 2008.


Senior United States District Judge